

## NOTES BY THE WAY

To Do's.

Thanksgiving morning Nov 29 1906 was one of ideal loveliness in surprising contrast with the previous morning. In compliance with a phone received the day before I bestirred myself to put on my best bib and tucker to use an old Scotch Irish expression, and set out for Durbin. Upon reaching the Main Street on the way to the Marlinton station I found everything wearing a holiday expression and unusual gladness seemed to be in the air. All at once my attention was led upon a solitary pedestal bearing on its shoulder a little white coffin. Upon inquiring it was found to mean that for the third time in their brief married lives Mr and Mrs James Gabbert on Camden avenue had been bereaved by the death of their only child. One person remarked to me that while it might be there is a sad home here below on Thanksgiving day there was one more angel in heaven something to be thankful for even with the few moments afterwards I was met by a visitor to the town for the day; a person who seemed so imbued with the spirit of the day that he had more blessings to be thankful for than I could care to remember just as he mentioned the best expression I could make by way of sympathetic response was to this effect: Long may you live my friend to have such thanksgiving days. The sight of the little coffin seemed to impress another visitor so much that he crossed the street to meet me and have a talk about what a solemn thing it is to die and how for so many years when he would do good evil doing was about the most he could show for his life's history or experience. Words could not express how he regretted so many things he did not do earnestly and often he prayed for help to do better. He was patient to hear how the strong looking and robust man would talk of his lonely and desolate condition having nothing that he could see to live for or to work for and how bitterly it all made him feel. Years ago it pleased God to call away my darling daughter and then my wife and now I have nothing left to care for. Were it not for the coming train an hour might not have been long enough for the sad story of all that troubled his mind in the past thirty years. Soon we were speeding up the Greenbrier and whilst I saw and heard much that interested me it is not my intention to repeat it here, for fear my fellow passenger may buyout me hereafter and that would make it unpleasant for me. I will just say that when we came to Clawson one of Bro King's reminiscences of the sad Samuel Clawson a noted M. P. Evangelist came to mind. One of his expressions was attracted much notice because of its peculiarity as beyond beyond when the Evangelist was asked where he got the phrase and where was the meaning of it's expression was to the purpose that he had picked up in Maryland while he was doing home mission work by appointment of conference among the colored people among his hearers was a colored deacon whom he frequently asked to close the services with prayer. In his prayers the deacon would Lord and Master to remember and bless all classes and condition of mankind everywhere throughout the world and in those regions which no eye has seen and where no foot has trod. Now observe the famous Evangelist if that is to be a prayer do not know what else it could be. Near Marlinton the train suddenly slowed up and was side tracked and what the reason was the officials could not tell. Out of the crowd on board, all seemed perplexed and anxious as two young people who were sitting next to me were changed they were in mutual sup-

duces. Nothing could be learned about them as to what their names, and whence they come, except it was a party that was married at Roanoke a few hours previously. Finally the train moved off the side tracks and Durbin was reached an hour late. I imagine that the landing at Castle Garden would feel about as much at home as I found myself in the throng about Durbin station. I had feared the place I was booked for was on a high hill and started for the Highland House and while slowly picking my way for that point I was met by Pat Rowan and turned back. Guided by him it was not long until I was in the office of the Eureka Hotel, where Mr. and Mrs. Swann met me, and soon I had the satisfied feeling of one having been lost, but now found the right one in the right place. John and Patrick Rowan are natives of the Emerald Isle, and from near the renowned city of Cork. They are both genial persons and excel in Irish anecdotes and songs, and readily make themselves pleasant and entertaining. It seemed but a very brief time when it was announced that all was ready for the ceremony. The young people appeared in the ladies' parlor and about them were grouped the parents of the bride and a few special friends, and the marriage vows were pledged and consecrated by parental tears and kind loving words. After congratulations and the reception of presents, all repaired to the dining room where a well prepared marriage feast was in private readiness. Soon after being seated at the festive table, an episode occurred that was something of a surprise. It seems that for some reason a typical old Virginia colored "Mammy" had been stranded at Durbin. She suspended her performance on the cooking range and came to the door opening into the dining room to take a look at the bride. Seeing one so loved her and said, "Well about what is it, I would like to wish my 'boney girl' much joy. 'Boney girl, there is no objection." "Well, when she took her 'boney girl' by the hand and wished blessings in heaven and earth upon her and her ma. Then she shook hands with the old preacher and the parents of her 'boney girl' and then bowed her queenly dignity to the rest of the company. She then seemed to be on her way back to her duties at the range, when she paused and had she been some colored prophetess her manner could not have been more enthused with ecstatic emotion than she was while repeating words to this effect, "These young people have gone and done what is best for life, what is best for health and what is best for man." The sentiment was received with applause and the subtle prophetess vanished from view. About 4 p. m. the bridal party went to the station and found about two coaches full of excursionists to Elkins to see the last exhibition of the "York State Folks," along with immense throngs of spectators from the vicinity. A cyclone of rice was quickly in evidence and soon there came a pathetic remonstrance, "Oh don't throw so hard—as much as to say, 'What is fun for you is not fun for us.'" Just as the setting sun was about to disappear in a scene of royal splendor never seen before at Durbin and will never be surpassed again, all moved away with clanging bell and wailing siren toward Elkins, where it was hoped that giving joys would be unconfined. W. T. P.

### State News.

#### Judge Dayton, in instructing the jury in a recent case where a man was under indictment for illicit raiting, and said that in the O. O. D. business the sale is made at the place of delivery, and if the express agent, or the railway company or the defendant, (who testified that within the past year he had received 80 consignments of liquor, but had paid for only a part of each shipment out of his own pocket, the balance being made up by others who shared the whiskey, knew that the packages contained whiskey, the jury should find them guilty. The jury returned a verdict of guilty, and the judge sentenced the prisoner to a month in jail, and imposed a fine of \$100.

#### In Randolph county the tangible over the collection of taxes was accepted the county financial and there is not a rough penny to pay even the school taxes. Judge Holt has held that as the levy of 25 cents will raise \$7,000 in excess of the recorded estimates of the county's expenses, the levy is illegal. The case has been appealed to the Supreme Court, and it has been settled, no taxes will be collected.

#### A man is drunk in West Virginia, according to an opinion by the supreme court, when he is in such a mental condition, due to use of liquor, as to affect the observation of, or become known to, or gives them reasons to believe him intoxicated. And the mere fact of a bystander to such mental state when a sale of whiskey is made will sustain a finding by a court or jury, on the question of intoxication.

#### At a recent meeting of the state board of health, a committee was appointed to draft rules and regulations in regard to spitting in public buildings and railway cars. Very drastic measures are proposed to stop this evil habit which is a very potent means of spreading disease. As soon as these resolutions are drafted by the board they become law, and it is expected that they will become operative over the state within the next sixty days. We predict a falling off in the sales of chewing and spitting tobacco, and a general uprising of the trust magnates who control this commodity.

#### State of West Virginia, Pocahontas County, vs. Fannie E. Bratton, Plaintiff vs. John F. Bratton; Lillie R. Mackwell; David W. Bratton; George Robert Bratton; Nannie Bratton; Robert H. Moffett; James A. Moffett; and J. S. McNeel, Sheriff of Pocahontas County, and as such Administrator of George W. Bratton, deceased, Defendants.

The object of this suit is to partition a tract of 650 acres of land between John E. Bratton and George W. Bratton's heirs, and if necessary sell said lands for that purpose; to assign dower to the plaintiff in the George W. Bratton's half, and enforce the payment of a debt due the plaintiff out of the balance, and to sell said George W. Bratton's half of said lands for that purpose and to distribute the balance among the heirs of said George W. Bratton, deceased, and to have released a vendors lien on said lands reserved in deed from Robert H. Moffett et al to John F. Bratton and George W. Bratton, recorded in Deed Book 12, page 319. This day came the plaintiff by her attorney, and on his motion, and it appearing by affidavit filed that the defendants John F. Bratton, David W. Bratton, George Robert Bratton, Nannie Bratton, Robert H. Moffett and James A. Moffett are non residents of this State, it is ordered that they do appear within one month after the date of the first publication hereof and do what is necessary to protect their interest in this suit. S. H. P. TRAXSON, Clerk. John W. Stepl'erson, S. J.

### PETER PARLEY

#### The Children's Friend.

It was "Peter Parley," the old man with the wooden leg, who wrote, in a simple plain style, books on Geography and history that made those studies easy and interesting and long to be remembered by the school children of sixty years ago. Peter Parley, wise old man that he was, wrote for the recreation of young people; he issued the first monthly of the kind, viz., "Merry's Museum and Parley's Playmate." Well do I recall the delight with which I hailed the regular coming of this delightful little periodical—those "continued" stories, what a charm hung over them and how my own children when little, listened to them from my lips. It is true that two generations have since acquaintance with "Peter Parley." Other writers, other books have pushed the old man with his wooden leg "to the wall," he escaped an abundant harvest of public notice, prosperity and wealth, as went in that day, but no one begrudged him the reward so well deserved.

What a shock it would have given me as a little child to be told there was no Peter Parley, as such, no old story narrator and pleasant historical instructor with that very important wooden leg that reminded us of so often; that our good friend's real name was Mr. S. G. Goodrich, that he was not old, and worst of all, he had no wooden leg at all, but just walked like other people. A revelation equal to this would have been as bad as the upsetting of juvenile Santa Claus ideas. Even so, and the large proceeds of the Parley books were much interfered with, through other publishers in his country or abroad copyright trouble that bothered the voluminous author and gave readers of his autobiography, "Men and Things as I have seen them," many tedious pages, a book otherwise very interesting. The first part is so sweet and simple, his earliest recollections. A little child then in the city, New York, I believe, and going to his first school, very young as was the custom, to some precise old lady—by her told to make his "obedience," the little boy did not know what to do as to go: one night now-a-days then the said old lady taught "Peter Parley," his letters, prefixing to each as she pointed out, interrogatively, "and that?" in other words, "what is that?" While still very young, he was taken from the great city far up the country and seeing, as he traveled some animals eating the grass he did not know what kind of creatures they were, and these were sheep. Strange that he should live to meet a thousand of children about all kinds of animals living in all corners of the world. But "tall trees from little acorns grow," truly.

When "Pa'ey" tho' not calling himself that then, had grown to be a lad of some size, but still not over wise; yet I am sure he was an amiable, inquiring and prepossessing boy, a queer adventure occurred to him. Wandering about among the trees and quiet places in the country neighborhood, he met a singular old woman who lived to herself in something like a natural cave. This person was demented, but of an innocent harmless turn of mind, and in that far distant time from the present, like those of her class just remained either with one's own people or became solitary hermits cared for in a manner by others. "The poor creature espied young 'Parley,'" more correctly young Samuel Goodrich, and coaxed him in her cavern apartment; spoke kindly and even sensibly to him and being pleased with his manners and speech, proceeded to give him a most valuable present (?) Opening a heavily bound chest and uprooting all the contents to the very bottom, she clutched with apparent great reverence and secrecy, a very large bundle of paper, unfolding this, now pending in the Circuit Court the young boy perceived many of Pocahontas County, W. Va., bank note bills. "Now take all in which I am plaintiff, and you

this," said the old woman, "and you are rich forever." With thanks and gladness, Goodrich received the gift and hastened home to show his prize. What his chagrin to find he had nothing but Continental money, not worth the paper it was printed on. To the poor hermit it was good money, long preserved.

A. L. P.

### Increase in Wages

The Chesapeake and Ohio railroad in conformity with other roads of the country granted an increase of wages to their employees. Every workman on the line, exclusive of the office force are granted an increase of fifteen cents to two dollars or under. The increase went into effect Dec. 1st and the next budget of monthly pay will be received by the employees with a smile.

The Pennsylvania railroad was the first to advance the wage of their employees and their course has been followed by nearly every railroad in the country. The Pennsylvania's increase amounts to several million dollars and it is said the increase on the Chesapeake and Ohio will total a large figure. By the new ruling common labor has been raised from one dollar and thirty cents a day to one dollar and forty five cents.

Reports from the different offices along the line say the clerks are aroused by the action in leaving them out of the advance, and are preparing petitions to send to general offices at Richmond. The clerks say that because of the increased freight traffic their work has been doubled and they should have been considered in the advance of wages.—Mail.

### State of West Virginia.

At rules held in the clerk's office of the Circuit Court of Pocahontas County on the first Monday in the month of December, 1906.

### The West Virginia Implement Co., Plaintiff vs. H. C. Lumadue, Andrew Price, trustee; Andrew Price, Special Receiver of the chancery suit of A. M. Oliver vs. H. C. Lumadue et al; Luther Davis; Bank of Marlinton, a corporation; A. M. Oliver, trustee; John T. McGraw; The Gulland-Clarke Co., a corporation; the Randolph Co. a corporation; H. C. Dickinson, Defendants

In Chancery.

The general object of this suit is to enforce a mechanics lien in favor of the plaintiff for goods furnished the defendant, H. C. Lumadue, and used in the construction and erection of a hall building on lots no 8 and 9; in block no 7, of the town of Durbin and for all other both special and general relief.

And it appearing by affidavit filed in this cause that the defendant, H. C. Lumadue, is a non-resident of the State of West Virginia; it is therefore ordered that H. C. Lumadue do appear here within one month after the date of the first publication hereof, and do what is necessary to protect his interest in this suit.

And it is further ordered that this order be published and posted as required by law.

Teste: J. H. PATTERSON, Clerk. D. H. Hill Arnold, Plff's Atty.

### Notice to Take Depositions

To H. C. Lumadue, Andrew Price, Trustee and Spl. Rec., A. M. Oliver, in his own right and as Trustee, J. T. McGraw, The Bank of Marlinton, the Gulland-Clarke Co., the Randolph Co., H. C. Dickinson, Luther Davis You will take notice that on the third day of January, 1907, between the hours of 6 a. m. and 6 p. m. of that day, at the law office of D. H. Hill Arnold in Elkins, Randolph County, West Virginia, I shall proceed to take the depositions of E. O. Fling and others, to be used as evidence in my behalf in a suit in equity and account, a very large bundle of paper, unfolding this, now pending in the Circuit Court the young boy perceived many of Pocahontas County, W. Va., bank note bills. "Now take all in which I am plaintiff, and you

### Big Feet.

It is interesting to learn when and how the small foot came to be held in such high esteem for ancient classes statuary, which is the standard of the perfect human figure, shows no such pedal distinctiveness.

According to modern ideal, the feet of these statues are all together out of proportion, yet for true, symmetrical perfection they could not be better.

A Greek sculptor would not think of such a thing as putting a nine inch foot on a five and one half foot woman. Their types for these classical marble figures were taken from the most perfect forms of living persons.

Unquestionably the human foot as represented by these old sculptors, was larger than the modern one; and, in fact, the primitive foot of all people of whom we have any record, either in printing or statuary, was considerably larger than the restricted foot of modern times.

The masculine foot forming an approximate average of four different countries, was about twelve inches long; this would require at least a No. 12 or 12½ shoe to cover it comfortably. The average masculine foot to day is easily fitted with a No. 8½ shoe, and is therefore not above ten and seven sixteenth inches. Now, by the old sculptural rule of proportion, a man five feet nine inches in height should have a foot eleven and one half inches long, or one sixth his height. It was of no great consequence what size he wore, but he would have required a modern shoe of at least a No. 10½ for a minimum fit, or a No. 11 for real comfort.

For women, allowing for the difference in the relative size of the two sexes, which was about the same then as now, a woman of five feet three inches in height would have had a foot ten inches long, requiring a modern shoe it ought to be spoken only in whisper size No. 6 as the most comfortable, or a No. 5½ as the limit of torture. The reason for the difference between the old classical foot and the modern one is obvious restriction is what has done it.

### State of West Virginia, Pocahontas County, vs: Wilson R. Sutton, E. R. Rider and James F. Rider, Defendants.

The object of this suit is to subject the land in Pocahontas county belonging to the defendant Wilson R. Sutton to the payments of the debts against the same. This day came the plaintiff by his attorney, and on his motion, and it appearing by affidavit filed that the defendant Wilson R. Sutton is a non-resident of this State, it is ordered that he do appear within one month after the date of the first publication hereof, and do what is necessary to protect his interest in this suit.

Teste: J. H. PATTERSON, Clerk. T. S. McNeel, Sol.

are defendants.

And, if from any cause, the taking of said depositions be not commenced on that day, or being commenced, be not concluded; the taking of the same will be continued from day to day, or from time to time, at the same place, and between the same hours, until completed.

### THE W. VA. IMPLEMENT CO., By De H. Hill Arnold, Atty

### Christmas Goods.

I have on hand a nice line of Xmas goods consisting of Dolls, Mechanical Toys, Books Games, Blocks, Albums, Toilet cases, etc. Please give me a call before purchasing elsewhere.

J. C. LOURY, Huntersville, W. Va.

### Punctuation that Costs Millions

The placing of punctuation marks is often of vital importance in the interpretation of certain phrases upon which great issues may hang. This danger is recognized in the preparation of legal documents, and is the real reason behind the omission of these marks as much as possible, thus necessitating long paraphrases and constant repetitions.

The present system of punctuation was introduced by the Venetian printer Manutius in the latter part of the fifteenth century. Uncle Sam has learned valuable lessons in punctuation in three of his experiences.

When the United States customs tariff of 1864 was being printed, some English manufacturers managed to bribe a few of the employees in the government printing-office at Washington to alter the position of a comma in one of the numbers under the heading, "Tinned Sheet-Iron." As a consequence of this, tinned iron paid only the same duty as ordinary sheet-iron. But the most absurd part of the business is that the fraud was not discovered until seventeen years later, when the United States had lost \$48,995,776 by the transaction.

The mistake of a clerk in preparing for the printer a later tariff bill—an inadvertence by which he used a comma instead of a hyphen—cost the government two million dollars. By it oranges, lemons, bananas, and grapes, and other foreign fruits, were admitted free of duty during a whole year.

Colonel Alexander Warner, a banker in Kansas, was arrested for receiving deposits for his bank when he was aware that this was about to fail. This happened before the old banking law was done away with, but he was not brought up for trial till afterward.

His lawyers said that the provision "that all criminal offenses committed, and criminal actions commenced," which was made by the new law should be construed as one sentence, and that it meant that both the offense and the trial must have taken place before the repeal of the old banking law.

The new law particularly pointed out that the provision must be construed as one sentence, as indicated by the comma after the word "committed."

The Judge then said that Colonel Warner's guilt rested entirely upon the construction placed upon the comma by the jury.

A bitter legal duel resulted, but the matter was never settled satisfactorily. That comma had involved both Colonel Warner and the United States Treasury in a loss of many thousands of dollars.

### Dillon's Successor.

The suggestion to appoint Capt. John K. Thompson, of Putman county to the position of state tax commissioner to be made vacant January 1st, by the resignation of Mr. Dillon, seems to be meeting with general approval.

Capt. Thompson was an original tax reformer, and was a member of the tax commission.

He is a thoroughly educated man in books, men and things. There are few within our acquaintance who have garnered to their brain store-house such wealth of useful, scientific, interesting and practical knowledge. He has convictions, courage, knowledge of state craft, familiarity with the business development of the state, a speaking acquaintance with nearly everybody, and is a courtly entertaining gentleman. He is a farmer—a genuine, real-thing farmer, who works with hand and brain setting the pace of scientific ideas and exemplifying theory by practice. He is a steady oak among honest men, and if he wants the job, he will be in the running.—Charleston Gazette.

Morgantown has had a number of cases of wife beating recently. This is a crime we in this section of the state seldom have to contend with, and the few cases which have come to light have been transients. From this it appears that our women folks hold the whip hand.

### Antony and Cleopatra.

This long popular poem was composed by General William Haines Lytle (1826-1863), a veteran of the Mexican War, who enlisted in the Union army in 1861 and rose to the rank of brigadier-general. He fell at the battle of Chancellorsville.

The passion of Antony for Cleopatra, the fascinating Queen of Egypt, is one of the famous loves which history records. Because of it this great Roman soldier sacrificed his dream of domination and even his pride of victory: for in the great naval fight at Actium, when Cleopatra turned her ships' prows in flight, Antony, though still unbeaten, left the line of battle and followed her. The lines here printed are imagined to have been uttered by him at the moment when he learns that his enemy, Augustus Caesar, has triumphed, and when Antony with his last thought given to his love, has fallen upon his own sword.

I am dying, Egypt, dying!  
Ebb's the crimson life tide fast,  
And the day Plutonian shadows  
Gather on the evening blast:  
Let thine arm, O Queen, unfold  
me  
Hush thy sobs and bow thine  
ear,  
Listen to the great heart secrets,  
Thou, and you alone must hear.  
Though my scarred and veteran  
legions  
Bear their eagles high no more,  
And my wrecked and scattered  
galleys  
Strew dark Actium's fatal shore;  
Though no glittering guards surround me,  
Prompt to do their master's will  
I must perish like a Roman,  
Die the great Triumvir still.  
Let not Caesar's servile minions  
Mock the Lion thus laid low;  
'Twas no foeman's arm that felled  
him,  
'Twas his own that struck the  
blow;  
His who pillowed on thy bosom;  
Turned aside from glory's ray  
His, who drunk with thy caresses,  
Madly threw a word away.  
Should the base plebeian rabble  
Dare assail my name at Rome,  
Where the noble spouse Octavia  
Weeps within her widowed  
home,  
Seeks her; says the gods bear  
witness—  
Altars, agurs, circling wings—  
That her blood, with mine com-  
mingled,  
Yet shall mount the throne of  
kings  
As for thee, stary-eyed Egyptian—  
Glorious sorceress of the Nile!  
Light the path to Stygian horrors  
With the splendors of thy smile,  
Give the Caesar crowns and arches  
Let his brow the laurel twine:  
I can scorn the Senate's triumphs  
Triumphing in a love like thine!  
I am dying, Egypt, dying,  
Hark! the insulting foeman's  
cry:  
They are coming—quick, my fal-  
chion!  
Let me front them ere I die—  
Ah, no more amid the battle—  
Shall my heart exulting swell;  
Isis and Osiris guard thee—  
Cleopatra—Rome—farewell!

### To Dissolve a Trust

The West Virginia Fire Underwriters Association is a combination in restraint of trade. It is illegal and it can be discovered by appealing to the courts.

As an illegal combination any action it may have is not binding and cannot be enforced.

That is the result of the decision rendered by the supreme court in the recent Pocahontas coal case which held that corporations had not the right in West Virginia to enter into an agreement to restrain unreasonably free competition by deciding upon a schedule of prices.

That it applies to the fire underwriters association has been found by the insurance companies' own attorneys and is now adopted by the insurance companies' themselves.—Fayette Journal.